

## REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated May 20, 2005.

Claim 1 is stated to be anticipated by Goetzke, et. al. (6,809,510). However, it is assumed that the Examiner meant to reject claims 5-8 and 10-15 on grounds of anticipation over the same mentioned reference as well, although this is not explicitly stated so in the Office Action. Applicant respectfully traverses this rejection and requests reconsideration thereof in view of the amendments to the claims herein and the following remarks.

Preliminarily, it is noted that allowable claim 2 has been rendered as independent claim 16 herein, and allowable claim 9 as independent claim 17. Allowance of these claims is earnestly solicited.

With respect to independent claim 1, as amended, applicant cannot agree with the Examiner's contention that the subject matter thereof is anticipated by Goetzke, et. al. Claim 1 clearly recites that a "first substrate" is transferred outwardly by way of "one of said plurality of substrate outlets" which is determined by "a first transport setting", that a "second substrate" is transferred outwardly by way of "another one of said plurality of substrate outlets" which is determined by "second a transport setting", and that the "first and second substrate" are transferred outwardly in the order in which the "first and second substrates" are ready for outward transfer. Independent claim 8 has been similarly amended and the remarks given here are applicable therefore to all of the claims in the application which stand rejected on prior art.

The instant claim amendments are supported by the specification at page 35, lines 10-25, insofar as it describes that "After the time indicated by the arrow f, the transport and the transfer are subsequently repeated to transfer the substrates Nos. 3, 4 and 5 outwardly and to accept the substrates Nos. ②, ③ and ④. Then, at the time indicated by the arrow g, the second main transport mechanism 10B receives the substrate No. ① from a heating plate HP(2). The substrate No. ① in the sub-flow F2 has been subjected to all processes to be performed in the SC cell C3 at this time, and therefore is ready for outward transfer from the SC cell C3 earlier. Thus, the substrate No. ① received by the second main transport mechanism 10B is transported to the return outlet RO, and is transferred outwardly to the return outlet RO at the time indicated by the

arrow i. At this time, the substrate No. 6 which is still present in the cooling plate CP(2) is not yet allowed to be transferred outwardly. Additionally, the substrates Nos. 1 to 5 being processed in the main flow F1 have not yet returned to the SC cell C3. Thus, the substrate No. ① processed in the sub-flow F2 gets ahead of these substrates Nos. 1 to 6 in the main flow F1 which are processed earlier in the SC cell C3, and is transferred to the BARC cell C2 earlier. From the viewpoint of the transfer of substrates, the double-flow condition in which two different process flows are present in parallel is accomplished.”

Without intending to limit the scope of the claims to the specific text quoted from the specification, it can be, nonetheless, observed that in the above mentioned “substrate No. ①” and “substrate No. 6” respectively correspond to the “first and second substrates” recited in claims 1 and 8, and the substrate No. ① ready for the outward transfer earlier gets ahead of the substrate No. 6 in the outward transfer. The substrate No. ① is transferred outwardly to the return outlet RO (Fig. 10) (page 35, line 17 of the specification), and the substrate No. 6 is transferred to the feed outlet SO (Fig. 1) (page 31, lines 21-22).

The Examiner comments in paragraph 4 of the Office Action that the last paragraph of claim 1 is confusing as written. Applicant respectfully traverses this assertion but, regardless, it is submitted that the claim, particularly as amended, clearly shows and refers to the fact that a “first substrate” is transferred outwardly by way of “one of said plurality of substrate outlets” which is determined by “a first transport setting”, that a “second substrate” is transferred outwardly by way of “another one of said plurality of substrate outlets” which is determined by a “second transport setting”, and that the “first and second substrates” are transferred outwardly in the order in which the “first and second” substrates are ready for outward transfer. As such, the examination must take full account of the specific controller structural features of the present invention, as defined by the instant claims.

Insofar as the Office Action contends that the process of transporting substrates in the order in which they are made ready for transport is inherent to any manufacturing process (paragraph 4 of the Office Action), it is submitted that this remark is no longer applicable to claim 1 as amended. Claim 1, as amended, clearly recites that the “first and second substrates:

received by way of “said at least one substrate inlet” common to the first and second substrates are transferred outwardly “in the order in which said first and second substrates are ready for outward transfer”. Thus, the “first substrate” is transferred by way of “one of said plurality of substrate outlets”, whereas the “second substrate” is transferred by way of “another one of said plurality of substrate outlets”. These are specific features of the instant claims which describe an invention that is not inherent in any “conventional” manufacturing process, that the Examiner has identified or can identify or which is known to the applicant.

It is not necessary to comment separately on claims 5 and 10, because they have been rendered as dependent claims of claim 1 and claim 8, respectively, whereby they are patentable by virtue of the comments made with respect to their base claims. Moreover, claim 5, as amended now recites that “said controller in each of said plurality of cells controls said at least one processing unit and transport element so that said first substrate belonging to said first substrate unit is received into each cell before the completion of an intra-cell process of said second substrate belonging to said second substrate unit”. Likewise, claim 10, as amended, now recites that “said first substrate belonging to said first substrate unit is received into each cell before the completion of an intra-cell process of said second substrate belonging to said second substrate unit”.

These amendments are supported by the specification at page 34, lines 18-21 which state that “At this time, the substrate to be processed in the sub-flow F2 is accepted into the SC cell C3 before the completion of the process of the preceding substrate to be processed in the main flow F1 which is accepted earlier into the SC cell C3”. That is, the apparatus and the method described in the specification and corresponding to those recited in claims 1 and 8 realize the foregoing processes recited in claims 5 and 10, respectively. Thus, claims 5 and 10 can depend on claims 1 and 8, respectively. The applicant has canceled claims 6, 11, 13 and 15.

Turning to Goetzke, it describes that “The individual wafers are consecutively fed to various fabrication and measuring units 1,2 according to the order of processing”. However, Goetzke completely fails to teach the limitation of the present claim 1 as amended, that the “first substrate” is transferred by way of “one of said plurality of substrate outlets”, and the “second substrate” is transferred by way of “another one of said plurality of substrate outlets”. According

to the present invention recited in claim 1, the "first and second substrates" are transferred by way of different substrate outlets, "in the order in which the first and second substrates are ready for outward transfer", whereby the double-flow condition in which two different substrate outlets, "in the order in which the first and second substrates are ready for outward transfer, whereby the double-flow condition in which two different process flows are present in parallel is accomplished (page 35, lines 24-25 of the specification). Goetzke completely fails to teach and suggest this configuration and effect. Thus, the present invention cannot be anticipated by or made obvious from Goetzke, and should be allowed accordingly.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 22, 2005:

MAX MOSKOWITZ  
\_\_\_\_\_  
Name of applicant, assignee or  
Registered Representative  
\_\_\_\_\_  
Signature  
\_\_\_\_\_  
August 22, 2005  
Date of Signature

Respectfully submitted,

  
MAX MOSKOWITZ  
Registration No.: 30,576  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700